

## Message Text

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PAGE 01 STATE 104406 TOSEC 040055  
ORIGIN SS-15

INFO OCT-01 SSO-00 ISO-00 CCO-00 /016 R

DRAFTED BY E:JEINHORN:PB

APPROVED BY E:JEINHORN

S/S - MR. GAMBLE

-----070216Z 063205 /75

O 070149Z MAY 77 ZFF4

FM SECSTATE WASHDC

TO USDEL SECRETARY IMMEDIATE

LIMITED OFFICIAL USE STATE 104406 TOSEC 040055

FOR UNDER SECRETARY COOPER FROM JESSICA EINHORN

E.O. 11652: N/A

TAGS: EGEN

SUBJECT: STATUS OF THE UNITED STATES INITIATIVE ON ILLICIT PAYMENTS

1. THE FOLLOWING BRIEFING MEMORANDUM WAS PREPARED BY L BUT INADVERTENTLY OMITTED FROM YOUR BRIEFING PACKAGE.

2. BEGIN TEXT: THE U.S. INITIATIVE FOR AN INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS IS APPROACHING A CRITICAL STAGE. THE UNITED NATIONS AD HOC WORKING GROUP WHICH WAS CREATED LAST YEAR AT U.S. INSISTENCE IS PREPARING ITS REPORT ON A POSSIBLE TREATY FOR PRESENTATION TO THE U.N. ECONOMIC AND SOCIAL COUNCIL IN JULY. THE COUNCIL WILL DECIDE WHETHER TO (A) TERMINATE THE EXERCISE, (B) ASK THE WORKING GROUP TO CONTINUE ITS WORK, OR (C) CONVENE A DIPLOMATIC CONFERENCE TO NEGOTIATE A TREATY.

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3. AFTER A SLOW START, THE AD HOC WORKING GROUP IN THE U.N. HAS BEGUN SERIOUS SUBSTANTIVE DISCUSSIONS, AND IS PREPARING DRAFT TREATY PROVISIONS (WHICH INCLUDE A GREAT DEAL OF BRACKETED LANGUAGE) FOR PURPOSES OF DISCUSSION, WITHOUT PREJUDICE TO GOVERNMENTS' POSITIONS ON THE DESIRABILITY OF A TREATY. THIS IS ENCOURAGING PROGRESS.

4. HOWEVER, WE CONTINUE TO FACE OPPOSITION FROM TWO DIRECTIONS. A FEW DEVELOPING COUNTRIES HAVE NOT ACCEPTED THE NOTION OF A SPECIFIC TREATY ON BRIBERY WHICH IS SEPARATE FROM THE BROADER CODE OF CONDUCT FOR TRANSNATIONAL CORPORATIONS. IN ADDITION, SOME MAJOR DEVELOPED COUNTRIES (FRANCE, THE UNITED KINGDOM, WEST GERMANY, JAPAN AND ITALY) ARE QUIETLY OPPOSING ANY TREATY WHICH WOULD REQUIRE THEM TO REGULATE THEIR CORPORATIONS' CONDUCT IN THIS RESPECT. THIS RESISTANCE WILL EVENTUALLY PREVENT ANY POSITIVE ACTION IN THE UNITED NATIONS OR ELSEWHERE. WITHOUT THE DEVELOPED COUNTRIES' FULL PARTICIPATION, THERE CAN BE NO EFFECTIVE INTERNATIONAL ACTION.

5. THERE IS NEEDED, THEREFORE, A POLITICAL PUSH FROM THE PRESIDENT TO BREAK THIS RESISTANCE BEFORE THE JULY SESSION OF THE ECONOMIC AND SOCIAL COUNCIL. A TIMELY AND LOGICAL PLACE FOR THIS TO BE DONE WITH THE DEVELOPED COUNTRIES WOULD BE THE ECONOMIC SUMMIT. HENCE, OUR SUGGESTION THAT THE SUBJECT BE ADDRESSED IN THE SUMMIT COMMUNIQUE. APRIL 29, 1977. END TEXT. CHRISTOPHER

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TOSEC, LOBBYING, AGREEMENTS, CORRUPTION, BRIBERY  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Number:** 1977STATE104406  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** JEINHORN:PB  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Original Handling Restrictions:** n/a  
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**Subject:** STATUS OF THE UNITED STATES INITIATIVE ON ILLICIT PAYMENTS  
**TAGS:** EGEN, US, XX, UN  
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**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009